

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LOTTIE M. ADAMS

Plaintiff,

V.

HOUSEHOLD PAYROLL SERVICES,
INC.,

Defendant.

C.A. No. 04-268-KAJ

NOTICE OF SUBPOENA

To: Gary W. Aber, Esquire
Aber, Goldlust, Baker & Over
702 King Street, Suite 600
P. O. Box 1675
Wilmington, Delaware 19899

PLEASE TAKE NOTICE that on March 17, 2005, the attached subpoena was served on the following in accordance with Rule 45 of the Federal Rules of Civil Procedure:

MeadowWood Hospital

Allyson

Jennifer Q. Jauffret (#3689)
Alyssa M. Schwartz (#4351)
Richards, Layton & Finger
One Rodney Square
P. O. Box 551
Wilmington, Delaware 19899
(302) 651-7700
Jauffret@rlf.com
Schwartz@rlf.com
Attorneys for Defendant

Dated: March 22, 2005

United States District CourtDISTRICT OF **DELAWARE****LOTTIE M. ADAMS,****Plaintiff,**

v.

SUBPOENA IN A CIVIL CASE**HOUSEHOLD PAYROLL SERVICES, INC.,****Defendant.**CASE NUMBER: **04-268-KAJ**

TO: MeadowWood Hospital, Attn: Debbie McClafferty
 575 S. DuPont Highway
 New Castle, Delaware 19720

YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

COURTROOM

DATE AND TIME

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

X YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects): **Any and all medical records, diagnostic tests and related documents relating to Lottie M. Adams (DOB 09/07/62, SS# 255-31-2494). A Medical Authorization is attached hereto which further specifies the documents requested.**

PLACE

DATE AND TIME

Richards, Layton & Finger, One Rodney Square, 920 King St., Wilm., DE 19801**March 29, 2005 by 5:00 p.m.**

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE **March 17, 2005****Attorney for Defendant**

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER **Jennifer C. Jauffret (#3689), Richards, Layton & Finger, One Rodney Square, P.O. Box 551, Wilmington, DE 19899; (302) 651-7700.**

(See Rule 45 Federal Rules of Civil Procedure Parts C & D on Reverse)

PROOF OF SERVICE

DATE

PLACE

3/17/05

SERVED

575 S. DUPONT WHY. NEW CASTLE, DE

SERVED ON (PRINT NAME)

MANNER OF SERVICE

MEADOWOOD HOSP

ACCEPTED BY DEBBIE MCCLAFFERTY

SERVED BY (PRINT NAME)

TITLE

DENORRIS BRITT

PROCESS SERVER

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

3/17/05

DATE

SIGNATURE OF SERVER

BRANDYWINE PROCESS SERVERS, LTD.

P.O. BOX 1360

WILMINGTON, DE 19899-1360

302-475-2600

Rule 45, Federal Rules of Civil Procedure, Parts C & D-

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials; or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(h) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that,

subject to the provisions of clause (c)(3)(B) (iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions

(d) DUTIES IN RESPONDING TO SUBPOENA

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

MeadowWood Behavioral HealthSystem

575 South DuPont Highway • New Castle, DE 19720
 (302) 328-3330 • (800) 289-8336 • Fax (302) 328-1951

Authorization for Release of Information

Pt name: _____

S.S. #: 255-31-2494D.O.B.: 9-7-62

I, Lottie Adams, hereby authorize the use and disclosure of my / my child's individually identifiable health information as described below. I understand that this authorization is voluntary. I need not sign this form to ensure healthcare treatment.

Type of disclosure: ☐ Verbal communication only:☐ Yes ☐ No Emergency Notification☐ Yes ☐ No Participation in Treatment☐ Yes ☐ No General Clinical Issues

The information above may be used and disclosed to the following individual:

Name: _____ Individual Relationship / Organization: _____ Phone# () _____

Type of Disclosure: ☐ Written disclosure only: ☐ Obtain written records from the agency below:☐ Forward records from MeadowWood's ☐ Inpt ☐ Partial ☐ Outpt and/or ☐ Focus on Recovery

The information below may be used and disclosed to the following individual:

Name: _____
(Individual / Organization)

Address: _____

City: _____ State: _____ ZIP: _____

Phone: () _____ Fax: () _____

The specific information to be used and disclosed includes: For the treatment period: _____ (specify dates)

☐ Yes ☐ No Discharge Summary☐ Yes ☐ No History and Physical Faxed _____☐ Yes ☐ No Initial Assessment Faxed _____☐ Yes ☐ No Labs Faxed _____☐ Yes ☐ No Admission Psych Evaluation Faxed _____☐ Yes ☐ No Urine Drug Screen Faxed _____Other specific information to be disclosed: ☐ Yes _____ ☐ Yes _____**Content restriction (if any)**Please **exclude** any information from this disclosure relating to:☐ HIV information ☐ my/my child's psychiatric diagnosis ☐ substance abuse history and/or

(other excluded information).

The purpose of this disclosure is to assist in:

☐ Continuity of care ☐ Family therapy/communication ☐ Legal and/or _____ (other purpose)

I understand that my records are protected under the federal regulations governing confidentiality of patient records (42 CFR Part 2) and cannot be disclosed without my written consent unless otherwise provided for in these regulations. I also understand that I may revoke in writing this consent at any time except to the extent that action has already been taken in reliance on it, and that in any event this consent expires automatically as follows:

☐ 120 days after discharge/termination of treatment or _____ (other expiration period).

Lottie Adams March 2, 2005
 Patient / Patient Representative Date

 Parent / Legal Guardian Date

If signed by legal representative, relationship to patient: _____

Witness: _____ Date _____

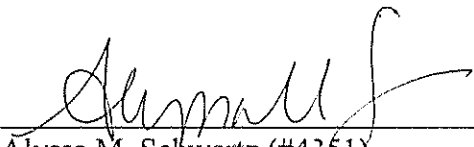
2nd Witness (Verbal release only-not permitted for D&A) Date _____

NOTE: This authorization is conditioned upon any materials obtained through its use being provided to my attorney, Gary W. Aber.

CERTIFICATE OF SERVICE

It is hereby certified that on the 22nd day of March, 2005, true and correct copies of the foregoing were served, via e-filing and hand delivery, on counsel as follows:

Gary W. Aber, Esquire
Aber, Goldlust, Baker & Over
702 King Street, Suite 600
P. O. Box 1675
Wilmington, Delaware 19899


Alyssa M. Schwartz (#4361)